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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-------------------------------------------------------------------------------------------------------------------------------------|-------------|----------------------|-------------------------------|------------------|
| 10/657,219 | 09/05/2003 | Takanori Yano | 6453P007 | 8838 |
| 8791 7590 04/27/2007 BLAKELY SOKOLOFF TAYLOR & ZAFMAN 12400 WILSHIRE BOULEVARD SEVENTH FLOOR LOS ANGELES, CA 90025-1030 | | | EXAMINER DESIRE, GREGORY M | |
| | | | ART UNIT 2624 | PAPER NUMBER |
| SHORTENED STATUTORY PERIOD OF RESPONSE | | MAIL DATE | DELIVERY MODE | |
| 3 MONTHS | | 04/27/2007 | PAPER | |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

| | | | |
|------------------------------|-------------------|--------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/657,219 | YANO ET AL. | |
| | Examiner | Art Unit | |
| | Gregory M. Desire | 2624 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/5/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14, 22-38 and 41-52 is/are rejected.
- 7) ☒ Claim(s) 15-21, 39 and 40 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/16/04 & 11/14/05, 12/22/06</u> | 6) <input checked="" type="checkbox"/> Other: <u>IDS filed 12/22/06</u> . |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 10, 22-28, 35-36, 41 and 42-46 are rejected under 35 U.S.C. 102(e) as being anticipated by Chebil (6,993,199).

Regarding claims 1, 26 and 44 Chebil discloses,

A partial code stream truncating unit (note fig. 5 block 350) to partially truncate ordinarily encoded data of an image (note col. 6 lines 20-23, unused portion of encoded data is truncated. Thus, encoded data is partially truncated) to create a truncated code stream (note col. 7 lines 38-40), in accordance with a selectively truncation command (note col. 6 lines 22-45, col. 7 lines 19-21 and 39-40); and

A restoration unit (note fig. 6, block 400) to, in accordance with an undo command (signal 373 and col. 7 lines 47-49), restore the original encoded data from which the truncated code stream was created temporarily by the partial code stream truncating unit (note col. 7 lines 47-49).

Regarding claims 2, 27 and 45 Chebil discloses,

Wherein the partial code stream truncating unit truncates the ordinarily encoded data by tuning the original encoded data (note fig. 1b encoded data) into second encoded data (fig. 1b generated code stream) such that turning the original encoded data (encoded) into the second encoded data (generated code stream) causes the truncated code stream (discarded portion) to be stored, wherein the second encoded data does not include truncated code stream (note generated code stream does not include the discarded portion), and

Wherein the restoring unit (fig. 6, 400 decoding) combines the second encoded data and the stored truncated code stream in accordance with an undo releasing command (note col. 7 lines 47-49).

Regarding claims 3, 28 and 46 Chebil discloses,

Code line discarding unit for discarding the stored truncated code stream in accordance with undo releasing command (note col. 6 lines 45-48, unused portion which is the truncated part is discarded).

Regarding claims 10 and 35 Chebil discloses,

Enable a user to select a unit that is processed as the truncated code stream (fig. 6, block 300, selecting encoder).

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Regarding claims 22-23 and 42-43 Chebil discloses,

A decoding and expanding unit (note fig. 6, block 400) to decode and expand second encoded data to reproduce an image based on second and encoded data (note col. 7 lines 46-48), the second encoded data being generated by partially truncating the truncating some form ordinarily encoded data; and

A display unit to display the reproduced image (note col. 8 lines 1-5, well known for pda's and mobile devices and portable computers to have displays)

Regarding claims 24 and 41 Chebil discloses,

Wherein the original encoded data is based on JPEG2000 or motion-JPEG2000 (note col. 7 lines 50-53).

Regarding claims 25 and 36 Chebil discloses,

Wherein the unit that is processed, as the truncated code stream is one of a layer, resolution level, a bit plane, a tile, a packet and a component (note col. 6 lines 20-25, truncated portion is a bit plane).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 4-5, 29-30 and 47-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chebil in view of Morihara et al (6,871,320).

Regarding claims 4, 29 and 47 Chebil discloses,

Code stream truncating unit and restoring unit. Chebil does not clearly disclose tag information and restoring encoded data from tag information. Morihara discloses tag information and restoring encoded data from tag information (note fig. 17 blocks S3 and col. 13 lines 26-40). Chebil and Morihara are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person ordinary skill in the art to include restoring encoding data from tag information in the system of Chebil as evidenced by Morihara. The suggestion/motivation for doing so would have been decreasing time in processing tag information (note col. 2 lines 65-67). Therefore, it would have been obvious to combine Chebil with Morihara to obtain the invention as specified in claim 4.

Regarding claims 5, 30 and 48 Chebil discloses,

Code line discarding unit for discarding the stored truncated code stream in accordance with undo releasing command (note col. 6 lines 45-48, unused portion which is the truncated part is discarded).

5. Claims 6-9, 11-14, 31-34, 37-38 and 49-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chebil in view of Laczko et al (6,256,348).

Regarding claims 6-7, 31-32 and 49-50 Chebil discloses,

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Code stream truncating unit and restoring unit. Chebil does not clearly disclose frames from moving image and restoring encoded data include encoded date of the at least one frame. Laczko disclose frames from moving image and restoring encoded data include encoded date of the at least one frame (note col. 7 lines 53-61). Chebil and Laczko are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person ordinary skill in the art to include frames from moving image and restoring encoded data to include encoded date of the at least one frame in the system of Chebil as evidenced by Laczko. The suggestion/motivation for doing so would have been improvement in circuits (note col. 4 lines 15-21). Therefore, it would have been obvious to combine Chebil with Laczko to obtain the invention as specified in claims 6-7.

Regarding claims 8-9, 33-34 and 51-52 Chebil discloses,

Code line discarding unit for discarding the stored truncated code stream in accordance with undo releasing command (note col. 6 lines 45-48, unused portion which is the truncated part is discarded).

Regarding claims 11-12, 13-14 and 37-38 Chebil discloses,

Enable a user to select a unit that is processed as the truncated code stream (fig. 6, block 300, selecting encoder).

Allowable Subject Matter

6. Claims 15-21 and 39-40 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter: The prior art fails to disclose selecting a truncated code stream from a frame with less movement every nth frame, frame having large vibration or does not include a person. These features in combination with other features are not taught in the prior art.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory M. Desire whose telephone number is (571) 272-7449. The examiner can normally be reached on M-F (6:30-3:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen Lillis can be reached on (571) 272-6928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

G.D.
April 20, 2007


GREGORY DESIRE
PRIMARY EXAMINER